

**CONTRACT #1**  
**RFS # 359.62-031-06**

**Department of Children's  
Services**

**VENDOR:**  
**Vanderbilt University**

## REQUEST: NON-COMPETITIVE AMENDMENT

**RECEIVED**  
MAR 03 2006  
**FISCAL REVIEW**

APPROVED

Commissioner of Finance &amp; Administration

Date:

EACH REQUEST ITEM BELOW MUST BE DETAILED OR ADDRESSED AS REQUIRED.

1) RFS #	359.62-031-06	
2) State Agency Name :	Department of Children's Services	
<b>EXISTING CONTRACT INFORMATION</b>		
3) Service Caption :	Sex Offender Treatment at Woodland Hills Youth Development Center	
4) Contractor :	Vanderbilt University	
5) Contract #	FA-06-16491	
6) Contract Start Date :	July 1, 2005	
7) <u>Current</u> Contract End Date IF <u>all</u> Options to Extend the Contract are Exercised :	June 30, 2010	
8) <u>Current</u> Total Maximum Cost IF <u>all</u> Options to Extend the Contract are Exercised :	\$680,000.00	
<b>PROPOSED AMENDMENT INFORMATION</b>		
9) <u>Proposed</u> Amendment #	One	
10) <u>Proposed</u> Amendment Effective Date : (attached explanation required if date is < 60 days after F&A receipt)	April 1, 2006	
11) <u>Proposed</u> Contract End Date IF <u>all</u> Options to Extend the Contract are Exercised :	June 30, 2010	
12) <u>Proposed</u> Total Maximum Cost IF <u>all</u> Options to Extend the Contract are Exercised :	\$715,000.00	
13) Approval Criteria : (select one)	<input checked="checked" type="checkbox"/> use of Non-Competitive Negotiation is in the best interest of the state <input type="checkbox"/> only one uniquely qualified service provider able to provide the service	
14) Description of the Proposed Amendment Effects & Any Additional Service :		
Additional Services are not being procured. The contractor will continue to provide the same services described in the initial contract. Utilization Rates at WHYDC have exceeded those service levels originally anticipated when the original contract was awarded. The increased maximum liability will allow WHYDC student residents to continue receiving these essential services.		

**15) Explanation of Need for the Proposed Amendment :**

Based upon utilization rates, to date for this fiscal year, indicate that the monies originally budgeted for these services will not adequately cover the remainder of the fiscal year. Consequently, an amended increase is required.

**16) Name & Address of Contractor's Current Principal Owner(s) :**

(not required if proposed contractor is a state education institution)

Vanderbilt University  
Department of Psychiatry  
1500 21<sup>st</sup> Avenue South Ste 2200  
Nashville, Tennessee 37212

**17) Documentation of Office for Information Resources Endorsement :**

(required only if the subject service involves information technology)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

**18) Documentation of Department of Personnel Endorsement :**

(required only if the subject service involves training for state employees)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

**19) Documentation of State Architect Endorsement :**

(required only if the subject service involves construction or real property related services)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

**20) Description of Procuring Agency Efforts to Identify Reasonable, Competitive, Procurement Alternatives :**

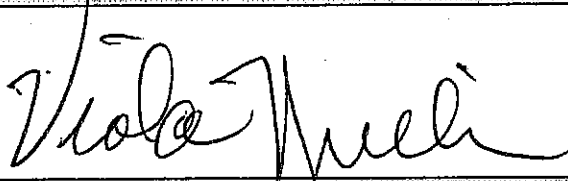
No other efforts have been attempted to identify procurement alternatives as this service was procured by competitive procurement in the spring of 2005.

**21) Justification for the Proposed Non-Competitive Amendment :**

The specific services detailed in this contract are, unfortunately, a frequent problem of many student residents. Non-approval of the requested increase would mean that children with a history of sex offenses would not have those issues treated while in the WHYDC facility.

**REQUESTING AGENCY HEAD SIGNATURE & DATE :**

(must be signed & dated by the ACTUAL procuring agency head as detailed on the Signature Certification on file with OCR— signature by an authorized signatory will be accepted only in documented exigent circumstances)



Agency Head Signature

Date

Explanatory Note Regarding: Request submitted to F&A in less than 60 days.

The initial budget for the New Visions YDC facility could not be determined with accuracy at the outset of FY 2006. Recently, the DCS Contracts Section began efforts to amend certain professional services contracts at the NPYDC and WHYDC facilities that needed adjusting due to greater than expected utilization rates. However, while engaged in the process we were also made aware that NPYDC was expecting an increase in the student population, which would require amendments of additional contracts as well as those on which work had already begun. Rather than repeat the amendment process for these contracts so closely together, a request was made for NPYDC and WHYDC to review all service contracts in relation to the utilization rates and population increases and then provide the final amounts for FY 2006 of each contract needing an amendment. DCS needs to obtain approval of these amendments as quickly as possible to ensure that adequate funds remain available. Consequently, we are requesting immediate approval to aid in ensuring our ability to provide uninterrupted payment for services delivered.

Your assistance is greatly appreciated.

**AMENDMENT ONE  
TO CONTRACT FA-06-16491  
BETWEEN THE STATE OF TENNESSEE  
DEPARTMENT OF CHILDREN SERVICES  
WOODLAND HILLS AND NEW VISIONS  
YOUTH DEVELOPMENT CENTERS  
AND  
VANDERBILT UNIVERSITY**

This Contract, by and between the State of Tennessee, Department of Children Services (DCS), Woodland Hills Youth Development Center, hereinafter referred to as the "State" and Vanderbilt University, hereinafter referred to as the "Contractor", is hereby amended as follows:

1. Delete Section C.1. in its entirety and insert the following in its place:

C.1. Maximum Liability. In no event shall the maximum liability of the State under this Contract exceed seven hundred fifteen thousand dollars (\$715,000.00). The annual liability for fiscal year 2006 shall not exceed one hundred and seventy one thousand dollars (\$171,000.00). The annual liability for fiscal years 2007 thru 2010 shall not exceed one hundred and thirty six thousand dollars (\$136,000.00) per fiscal year. The Payment Rates in Section C.3 shall constitute the entire compensation due the Contractor for the Service and all of the Contractor's obligations hereunder regardless of the difficulty, materials or equipment required. The Payment Rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the State. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the State requests work and the Contractor performs said work. In which case, the Contractor shall be paid in accordance with the Payment Rates detailed in Section C.3. The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

The other terms and conditions of this Contract not amended hereby shall remain in full force and effect.

**IN WITNESS WHEREOF:**

**Vanderbilt University:**

---

**Thomas Catron, PH.D**

---

**Thomas Catron, PH.D**

**Department of Children's Services:**

---

**Viola P. Miller, Commissioner**

---

**Viola P. Miller, Commissioner**

**APPROVED:**

**DEPARTMENT OF FINANCE AND ADMINISTRATION:**

---

**M. D. Goetz, Jr., Commissioner**

---

**M. D. Goetz, Jr., Commissioner**

**DEPARTMENT OF PERSONNEL:**

---

**Nat E. Johnson, Acting Commissioner**

---


**Nat E. Johnson, Acting Commissioner**

**COMPTROLLER OF THE TREASURY:**

**John G. Morgan, Comptroller of the Treasury**

---

# CONTRACT SUMMARY SHEET

<b>RFS Number:</b> 359.62-031		<b>Contract Number:</b> FA-06 16441-00	
<b>State/Agency:</b> Department of Children's Services		<b>Division:</b> Contracts Administration	
<b>Contractor:</b> Vanderbilt University		<b>Contractor Identification Number:</b> 620476822-07	
		<input checked="" type="checkbox"/> V- <input type="checkbox"/> C-	
<b>Service Description:</b> Sex Offender Program			
<b>Contract Begin Date:</b> July 1, 2005		<b>Contract End Date:</b> June 30, 2010	
<b>Allotment Code:</b> Sup	<b>Cost Center:</b> 550	<b>Object Code:</b>	<b>Fund:</b> <input type="checkbox"/> on STARS
<b>Grant:</b>	<b>Grant Code:</b>	<b>Subgrant Code:</b>	
<b>FY</b>	<b>State Funds</b>	<b>Federal Funds</b>	<b>Interdepartmental Funds</b>
			<b>Other Funding</b>
			<b>Total Contract Amount (including ALL amendments)</b>
2006	\$136,000.00		\$136,000.00
2007	\$136,000.00		\$136,000.00
2008	\$136,000.00		\$136,000.00
2009	\$136,000.00		\$136,000.00
2010	\$136,000.00		\$136,000.00
<b>Total:</b>	\$680,000.00		\$680,000.00
<b>CFDA#</b>		<b>Check the box ONLY if the answer is YES:</b>	
<b>State Fiscal Contact</b>		<b>Is the Contractor a SUBRECIPIENT? (per OMB A-133)</b>	
<b>Name:</b> Joe Cimino	<b>Address:</b> 7 <sup>th</sup> Floor Cordell Hull Bldg Nashville, TN 37243	<b>Is the Contractor a VENDOR? (per OMB A-133)</b> <input checked="" type="checkbox"/>	
<b>Phone:</b> 615-741-8304		<b>Is the Fiscal Year Funding STRICTLY LIMITED?</b> <input checked="" type="checkbox"/>	
<b>Procuring Agency Budget Officer Approval Signature</b>		<b>Is the Contractor on STARS?</b> <input checked="" type="checkbox"/>	
 8/4/05		<b>Is the Contractor's FORM W-9 ATTACHED?</b>	
		<b>Is the Contractor's Form W-9 Filed with Accounts?</b> <input checked="" type="checkbox"/>	
<b>COMPLETE FOR ALL AMENDMENTS (only)</b>		<b>Funding Certification</b>	
	<b>Base Contract &amp; Prior Amendments</b>	Pursuant to T.C.A., Section 9-6-113, I, M. D. Goetz, Jr., Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.	
<b>END DATE →</b>	<b>This Amendment ONLY</b>		
<b>FY</b>			
<b>FY</b>			
<b>FY</b>			
<b>FY</b>			
<b>Total:</b>			

SEP - 6 2005

DIRECTOR OF ACCOUNTS

 RECEIVED  
 AUG 26 PM 3:42  
 COMPTROLLER'S OFFICE  
 OFFICE OF  
 MANAGEMENT SERVICES

# REQUEST: ALTERNATIVE PROCUREMENT METHOD

APPROVED <i>John W. Morgan</i> Comptroller of the Treasury Date: 3-8-05	RECEIVED 705 H.R. - 3 AM 11:04 OFFICE OF MANAGEMENT SERVICES	APPROVED w/ deletion noted on page 2 <i>MD Goetz</i> Commissioner of Finance & Administration Date: FEB 25 2005
--	---	--

Note: Comptroller approval is required for an Alternative Competitive process that will result in a contract requiring the approval of the Comptroller.

Each of the request items below indicates specific information that must be individually detailed or addressed as required. A REQUEST CAN NOT BE CONSIDERED IF INFORMATION PROVIDED IS INCOMPLETE, NON-RESPONSIVE, OR DOES NOT CLEARLY ADDRESS EACH OF THE REQUIREMENTS INDIVIDUALLY AS REQUIRED.	
RFS #	359.62-031
STATE AGENCY NAME :	Department of Children's Services
SERVICE CAPTION :	Treatment Services - Sexually Abused Victims and Sex Offenders -
CONTRACT START DATE : (if date is < 60 days after F&A receipt, attach required explanation)	July 1, 2005
LATEST POSSIBLE END DATE : (including ALL options to extend)	June 30, 2010
TOTAL MAXIMUM COST : (including ALL options to extend)	\$680,000.00 (five year term)
ADDITIONAL REQUIRED REQUEST DETAILS BELOW (address each item immediately following the requirement text)	
(1) description of service to be acquired :	
Provide gender separate Treatment Services for Sexually Abused Victims and Sex Offenders at Woodland Hills Youth Development Center, (WHYDC) for up to 120 males on the original campus and also 24 female resident students housed in the New Visions facility for females.	
(2) justification for using an Alternative Procurement Method rather than an RFP :	
<p>The procurement of treatment services of the sexually abused and sexual perpetrators for WHYDC student residents is not a new or unknown service to this department. These services are a critical component to the YDC array of services for children having personal histories that require this treatment approach. These services are not temporary in nature, as it is a required service component within the YDC array of services. DCS fully understands these services as required within the parameters of this contract.</p> <p>State law specifies the credentials and qualifications of those individuals capable of providing these services, thus defining for the purposes of procurement, individuals that are minimally qualified to perform these services. Unlike the RFP process, DCS does not need to require potential bidder(s) to provide the level of information that would be necessary to educate DCS about this service technology and the proposers understanding and capabilities to provide the service. It is hoped that the use of the alternative competitive method, in lieu of the time consuming RFP process, will also remove any potential barriers to bidding that an RFP might generate, and will thus encourage more providers to submit bids.</p>	
(3) proposed alternative procurement procedures and contractor selection criteria	
<p>1) Identification of Potential Contractors</p> <p>DCS will identify potential Contractors in the immediate and surrounding area(s) of WHYDC potential bidders</p>	

Office of Contracts Review

#128  
4/05



will be identified through the State Service Provider Registry, professional contacts known to WHYDC staff, phone directory listings and professional associations/organizations, and various internet websites.

Bid Packets will be sent to each interested vendor. Should the number of potential vendors be limited, bid packets will be sent to all vendors on the list. Should the number of potential vendors identified be significant, DCS will send out a letter of inquiry requesting that they declare an interest in receiving a bid packet. Each prospect will be sent a bid packet and invited to bid in an effort to receive the contract award. Bid packets will contain: instructions detailing the submission of bids; a description of the submission requirements; a copy of the Sample Contract, and a Proposers Bid Sheet.

2) Each bidder must also submit:

- ❖ a brief and complete description of their experience in providing these or similar services outlined in the sample contract's scope of services, including copies of certificates and licenses qualifying them to provide these services;
- ❖ a listing of at least three references with whom the bidder has previously contracted to provide comparable services;
- ❖ a copy of the completed bid sheet containing bids for each service item listed.
- ❖ a description detailing how services are to be provided

2.a. Should the bidder also plan to utilize other individuals to provide services, they will need to submit:

- ❖ a brief and complete description of their experience in providing similar services
- ❖ copies of certificates or licenses for each individual identified other than the bidder.

3) Evaluation of Submitted Bidder Packets:

- 3.a. A team of three DCS employees will review the response documentation from each bidder. In order for a bid to be accepted for further evaluation, the DCS evaluators must determine that a bidder's documentation of qualifications indicates that the bidder would be at least minimally acceptable as a contractor for the given service. The DCS evaluator determinations regarding each bidder will be documented in writing for the procurement file.
- 3.b. A procurement coordinator will review the cost proposal (bid sheet) for each bidder found by evaluators to be at least minimally acceptable. The coordinator will determine if the cost proposal complies with bid packet instructions without qualification and will document in writing any finding to the contrary for the procurement file.
- 3.c. The procurement coordinator will then review all compliant bid sheets. ~~The cost proposal will be evaluated and scored using the same concept as an RFP.~~ The procurement coordinator will then identify the bidder offering the lowest cost to the State and DCS will award the contract (exactly as detailed in the bid packet and drafted in accordance with relevant F & A regulations)

4) Staff Qualifications for these services are as follows:

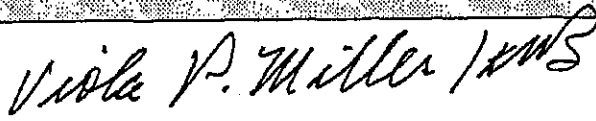
Group and Individual Therapy services, must be provided by a Tennessee Licensed Mental Health Professionals with at least a Doctoral degree, and/or by trained and qualified Master's level Mental Health Professionals who receive ongoing clinical supervision from a Tennessee Licensed Mental Health Professional, and/or by students who are matriculated in a Masters level mental health training program and are registered for practicum or internship placement and have appropriate and ongoing clinical supervision from a Tennessee Licensed Mental Health Professional.

5) The successful Contractor must be willing to provide the following services

- ❖ Provide individual and group therapy/counseling/treatment for sexually abused victims and sexual offenders, sexual dysfunction, and adjustment disorders.
- ❖ Crisis intervention-on call 24 hours a day seven days a week service either through phone consultation or site visit. Contractor will be responsible for providing office, cell, pager, or other number where the institution may reach contractor.

\*Deleted as a condition of approval  
FEB 15 2005

❖ Case Consultation by a licensed therapist	
(4) documentation of OIR endorsement of the Non-Competitive procurement request : (required <u>only</u> if the subject service involves information technology)	
select one:	<input checked="checked" type="checkbox"/> Documentation Not Applicable to this Request <input type="checkbox"/> Documentation Attached to this Request
(5) documentation of Department of Personnel endorsement of the Non-Competitive procurement request : (required <u>only</u> if the subject service involves training for state employees)	
select one:	<input checked="checked" type="checkbox"/> Documentation Not Applicable to this Request <input type="checkbox"/> Documentation Attached to this Request

AGENCY HEAD REQUEST SIGNATURE: (signed by the procuring agency head or authorized signatory)		
	SIGNATURE DATE:	2-23-05